

MONTANA PUBLIC DEFENDER COMMISSION
PERSONNEL COMMITTEE MEETING

State Capitol, Room 152

July 24, 2009

Draft Minutes

Call to Order

The meeting of the Personnel Committee of the Montana Public Defender Commission was called to order at 9:55 a.m. by Committee Chair Caroline Fleming.

Commissioners Present

Caroline Fleming, Miles City, Mike Sherwood, Missoula; Tara Veazey, Helena; Stephen Nardi, Kalispell; Jennifer Hensley, Butte; Kenneth Olson, Great Falls; and Richard (Fritz) Gillespie, Helena

Other Interested Parties

Randi Hood, Chief Public Defender; Harry Freebourn, Administrative Director; Scott Crichton, American Civil Liberties Union of Montana (ACLU); and Judge Sheldon Singer, representing the American University evaluation team

Approval of Minutes

The minutes of the July 17, 2008 meeting were approved as submitted.

Examples of Past Responsibilities

The Committee hired the Chief Public Defender.

Current Responsibilities/Activities

The Committee asked Chief Hood to bring the new personnel evaluation forms and process to the next meeting. Chief Hood will only be involved in evaluating her immediate subordinates in the future. Region 4 is piloting the new evaluation process and she will be able to report on their progress.

Commissioner Sherwood asked that the possible hiring of a conflicts coordinator be a standing item on this committee's agenda. He also suggested that this committee discuss communication problems and employee complaints. Commissioner Veazey noted that the Commission had already received guidance on how to handle personnel issues, and that the employee grievance procedures are on the web. She said that they need to define the difference between "input" and personnel issues, and the Commission must avoid getting into personnel issues. She sees a separate issue in the AU report regarding an assertion that there is widespread fear of retribution, and the Commission should take that on. Training on how to respond to these issues needs to be a priority. Commissioner Fleming said that the Commission can help people with the process, but cannot take it on for correction themselves.

Other items this committee will be working on include reviewing the contractor grievance process to determine if it applies to anything besides fee disputes, and Chief Hood's performance review. The committee will also review job descriptions, organization charts and the chain of command. The review of organization charts is required by statute, and staff will provide this information to the committee.

Public Comment

Mr. Crichton said that the American University recommendation that the Commission have their own staff that are not OPD staff members might need to be discussed in this committee.

Commissioner Veazey asked that legal staff from the Legislative Fiscal Division and Legislative Services attend a future Commission meeting to discuss whether the Commission can have their own staff—both for a conflicts office and support staff. The whole commission should be part of that discussion.

Old Business/New Business (*Action Items)

None.

Adjourn

The meeting adjourned at 10:15 a.m.